

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DWAYNE J. FERGUSON, JR.,
Petitioner

v.

MARY SABOL, Warden,
Respondent

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No. 1:16-cv-1914

(Judge Kane)
(Magistrate Judge Saporito)

ORDER

Before the Court in the above-captioned case is the December 9, 2016 Report and Recommendation of Magistrate Judge Saporito. (Doc. No. 13.) No timely objections have been filed. **ACCORDINGLY**, on this 29th day of December 2016, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1. The Court adopts the Report and Recommendation (Doc. No. 13), of Magistrate Judge Saporito;
2. Petitioner Dwayne J. Ferguson, Jr.'s motion for voluntary dismissal (Doc. No. 11), is **GRANTED**;
3. Petitioner Dwayne J. Ferguson, Jr.'s petition for federal habeas corpus relief (Doc. No. 1), is **DISMISSED AS MOOT**; and
4. The Clerk of Court is directed to close the above-captioned case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania